

1 NICHOLAS A. TRUTANICH
2 United States Attorney
3 District of Nevada
4 Nevada Bar No. 13644
5 PATRICK BURNS
6 Nevada Bar No. 11779
7 United States Attorney's Office, District of Nevada
8 501 Las Vegas Boulevard South, Suite 1100
9 Las Vegas, Nevada 89101
10 (702) 388-6336/Fax: (702) 388- 6418
11 John.P.Burns@usdoj.gov

12 *Representing the United States of America*

13

14 **UNITED STATES DISTRICT COURT**
15 **DISTRICT OF NEVADA**

16 **UNITED STATES OF AMERICA,**

17 **Plaintiff,**

18 **Case No. 2:19-CR-00315-JAD-NJK**

19 **vs.**

20 **STIPULATION FOR A**
21 **PROTECTIVE ORDER**

22 **GINA MARCKS,**

23 a/k/a "Gina Toscano,"
24 a/k/a "Gina Melwani,"
25 a/k/a "Gina Marewani,"

26 **LADDA BOONLERT,**

27 **CHARLES HILL,**

28 **WENDI A. MARYNIAK,**

29 **ROGER BOND,**

30 a/k/a "Charles Roger Bond,"

31 **Defendants.**

32 The parties, by and through the undersigned, respectfully request that the Court issue an
33 order protecting from disclosure to the public, or any third party not directly related to this case,
34

1 any documents, recordings, or other tangible things produced by the government during
2 discovery that contain confidential or personal identifying information of individuals referenced
3 in the discovery. The parties state as follows:

4 1. The indictment in this case issued on December 10, 2019.

5 2. Trial is currently scheduled for February 25, 2020.

6 3. The indictment in this case arises out of an alleged scheme to defraud involving
7 impersonation of IRS and other government officials. The discovery contains significant amounts
8 of alleged victim information, bank and financial account numbers and information, personal
9 identifying information and documents such as driver's licenses, and some tax return and
10 taxpayer information otherwise deemed confidential under 26 U.S.C. § 6103. The release of such
11 information to the public or third parties not involved in the case could endanger the privacy of
12 hundreds of individuals and also subject them to potential misuse of their identities. This
13 confidential information is referred to here as the "Protected Information."

14 4. In order to protect the privacy of the individuals referenced in the discovery, the
15 parties intend to restrict access to the following individuals: attorneys for all parties, and any
16 personnel that the attorneys for all parties consider necessary to assist in performing that
17 attorney's duties in the prosecution or defense of this case, including investigators, paralegals,
18 retained experts, support staff, interpreters, and any other individuals specifically authorized by
19 the Court (collectively, the "Covered Individuals").

20 5. The Covered Individuals shall be advised of the Protective Order, and, without
21 leave of Court, the Covered Individuals shall not:

22 a. make copies for, or allow copies of any kind to be made by any other person of the
23 Protected Information in this case;

24 b. allow any other person to read, listen, or otherwise review the Protected

1 Information in this case;

- 2 c. use the Protected Information for any purpose other than preparing to defend
3 against or prosecute the charges in the Indictment or any further superseding
4 indictment arising out of this case; or
5 d. attach any Protected Information to any of the pleadings, briefs, or other court
6 filings except to the extent those pleadings, briefs, or filings are filed under seal or
7 properly compliant with LR IC 6-1.

8 6. The Protected Information shall be segregated from discovery not containing
9 confidential or personal identifying information, and the defendants shall only be permitted to
10 review the Protected Information in the presence of defense counsel who shall retain exclusive
11 possession of the Protected Information. Defense counsel will ensure that any discovery item left
12 with Defendant is fully redacted of any Protected Information.

13 7. Nothing in this stipulation is intended to restrict the parties' use or introduction of
14 the Protected Information as evidence at trial or support in motion practice.

15 8. The parties shall inform any person to whom disclosure may be made pursuant to
16 this order of the existence and terms of this Court's order.

17 9. The parties reserve the right to seek to modify the terms of this protective order at
18 a later time pursuant to Federal Rule of Criminal Procedure 16(d)(1). Should a reasonable need
19 for this protective order cease to exist, on grounds other than a Covered Individual or some other
20 person violating or circumventing its terms, the government will move expeditiously for its
21 dissolution.

22 / / /

23 / / /

24 / / /

1 10. The defense hereby stipulates to this protective order.
2
3

4 For the United States:

5 NICHOLAS A. TRUTANICH
6 United States Attorney

7 _____
8 /s/
9

10 PATRICK BURNS
11 Assistant United States Attorney

12 Respectfully submitted,
13

14 For the Defense:
15

16 _____
17 /s/
18 HEIDI OJEDA
19 Assistant Federal Public Defender
20 Attorney for DEFENDANT MARCKS

21 _____
22 /s/
23 MICHAEL J. MICELI, ESQ.
24 Attorney for DEFENDANT BOONLERT

25 _____
26 /s/
27 CHRIS T. RASMUSSEN, ESQ.
28 Attorney for DEFENDANT HILL

29 _____
30 /s/
31 RUSSELL MARSH, ESQ.
32 Attorney for DEFENDANT MARYNIAK

33 _____
34 /s/
35 AMANDA S. GREGORY, ESQ.
36 Attorney for DEFENDANT BOND

37 IT IS SO ORDERED:
38

39 _____
40 HON. NANCY J. KOPPE
41 UNITED STATES MAGISTRATE JUDGE

42 _____
43 January 14, 2020

44 _____
45 Date